

SENATE, No. 2328

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 21, 2022

Sponsored by:

Senator NILSA I. CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Creates “Economic Gardening Program” in Department of State to provide customized services to certain businesses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/21/2022)

1 AN ACT establishing an “Economic Gardening Program” in the
2 Department of State and supplementing Title 52 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. As used in P.L. , c. (C.) (pending before the Legislature as this
9 bill):

10 “Authority” means the New Jersey Economic Development
11 Authority established pursuant to section 4 of P.L.1974, c.80
12 (C.34:1B-4).

13 “Center” means the Business Action Center, created in the
14 Department of State pursuant to Reorganization Plan No. 003-2011.

15 “Department” means the Department of State.

16 “Program” means the “Economic Gardening Program” established
17 pursuant to section 2 of P.L. , c. (C.) (pending before the Legislature
18 as this bill).

19 “Qualified second-stage growth business” means a business that:

20 a. has maintained its principal place of business in the State for at
21 least the last two years;

22 b. has annual revenues totaling not more than \$50,000,000;

23 c. employs at least five but not more than 100 full-time employees
24 in this State;

25 d. demonstrates growth in annual revenue or jobs, or both, in two of
26 the last five years;

27 e. delivers products or services to customers outside the business's
28 local market area or demonstrates the capacity to do so;

29 f. is in a target industry as identified by the center; and

30 g. is organized for profit to perform a lawful, commercial function.

31

32 2. a. The Business Action Center shall establish an “Economic
33 Gardening Program.” The program shall consist of the center
34 providing, upon request, pursuant to subsection b. of this section,
35 customized services to qualified second-stage growth businesses
36 deemed eligible by the center in a manner established by the center.
37 The center shall work in conjunction with the authority and State,
38 local, and private business assistance entities to develop and
39 promote the program.

40 b. (1) Through the program, the center shall, upon request and
41 free of charge, provide to qualified second-stage growth businesses
42 customized services tailored to the needs of each qualified second-
43 stage growth business, including, but not limited to:

44 (a) a review of the qualified second-stage growth business's
45 core strategies, including growth opportunities and threats, business
46 strategy, and niche markets;

47 (b) expansion of the qualified second-stage growth business's
48 development opportunities through market research and qualified

1 sales leads, including, but not limited to, information about
2 competitors and their strategies, industry trends and forecasts,
3 market size and sales, financial analysis, business planning,
4 strategic planning, market demographics, market research reports,
5 potential market niches, prospective partners and resources, and
6 marketing lists ; and

7 (c) guidance for the qualified second-stage growth business on
8 increasing its visibility and credibility within the market with an
9 improved Internet presence, and advice on how to best use
10 technology to connect with customers.

11 (2) The center may partner with business assistance
12 organizations in the State to provide customized services pursuant
13 to paragraph (1) of this subsection. Customized services addressing
14 the needs of a qualified second-stage growth business, pursuant to
15 paragraph (1) of this subsection, may be provided in the form of
16 personalized counseling or management consulting.

17 (3) The center, and any organization that is partnered with the
18 center to provide customized services pursuant to paragraph (1) of
19 this subsection, shall not disclose any non-public proprietary
20 information about the qualified second-stage growth business
21 obtained during the course of assisting the qualified second-stage
22 growth business to any other business or private entity. The center,
23 and any organization that is partnered with the center to provide
24 customized services pursuant to paragraph (2) of this subsection,
25 shall not provide any non-public proprietary information to a
26 qualified second-stage growth business requesting customized
27 services. No action may be brought against the State, or any agency
28 or instrumentality thereof, for relief in connection with the center's
29 provision of customized services under this subsection.

30 c. (1) There is appropriated from the General Fund to the
31 department monies as shall be necessary to effectuate the purposes
32 of P.L. , c. (C.) (pending before the Legislature as this
33 bill).

34 (2) The center is authorized to seek and accept gifts, grants, or
35 donations from private or public sources to fund the costs of the
36 customized services provided pursuant to subsection b. of this
37 section, except that the center may not accept a gift, grant, or
38 donation that is subject to conditions that are inconsistent with any
39 other law of this State.

40 d. The center shall report annually to the Governor and,
41 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
42 Legislature on the progress of the program in meeting the needs of
43 qualified second-stage growth businesses. The report shall include,
44 but not be limited to, information concerning the number and
45 locations of participating qualified second-stage growth businesses,
46 the number of jobs created or maintained by participating qualified
47 second-stage growth businesses, the amount of capital investment
48 made by participating qualified second-stage growth businesses as a

1 result of participation in the program, and the type and amount of
2 financial assistance given to participating qualified second-stage
3 growth businesses.

4
5 3. This act shall take effect immediately.

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8 STATEMENT

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10 This bill establishes within the Business Action Center (BAC) in
11 the Department of State an “Economic Gardening Program” (program)
12 to provide certain customized services to qualified second-stage
13 growth businesses. The BAC is to work in conjunction with the New
14 Jersey Economic Development Authority and State, local, and private
15 business assistance entities to develop and promote the program.

16 The bill defines a “qualified second-stage growth business” as a
17 business that: 1) has maintained its principal place of business in the
18 State for at least the last two years; 2) has annual revenues totaling not
19 more than \$50,000,000; 3) employs at least five but not more than 100
20 full-time employees; 4) demonstrates growth in annual revenue or
21 jobs, or both, in two of the last five years; 5) delivers products or
22 services to customers outside the business's local market area or
23 demonstrates the capacity to do so; 6) is in a target industry as
24 identified by the center; and 7) is organized for profit to perform a
25 lawful, commercial function.

26 The program is to consist of the
27 BAC providing, upon request and free of charge, customized services
28 tailored to the needs of the qualified second-stage growth business and
29 may be in the form of personalized counseling or management
30 consulting. The customized services are to, include, but not be limited
31 to: 1) a review of the qualified second-stage growth business’s core
32 strategies, including growth opportunities and threats, business
33 strategy, and niche markets; 2) expansion of the qualified second-stage
34 growth business’s development opportunities through market research
35 and qualified sales leads; and 3) guidance for the qualified second-
36 stage growth business on increasing its visibility and credibility within
37 the market with an improved Internet presence, and advice on how to
38 best use technology to connect with customers.

39 The BAC is authorized to partner with business assistance
40 organizations to provide customized services to businesses. The bill
41 prohibits the BAC and any partner organizations from disclosing any
42 non-public proprietary information when providing a qualified second-
43 stage growth business customized services.

44 The bill provides for a General Fund appropriation to the
45 Department of State of an amount necessary to effectuate the purposes
46 of the bill and allows the BAC to seek and accept gifts, grants, or
47 donations from private or public sources to fund the costs of the
customized services.

1 Finally, the bill requires the BAC to report annually to the
2 Governor and the Legislature on the progress of the program in
3 meeting the needs of qualified second-stage growth businesses. The
4 report is to include, but not be limited to, information concerning the
5 number and locations of participating qualified second-stage growth
6 businesses, the number of jobs created or maintained by participating
7 qualified second-stage growth businesses, the amount of capital
8 investment made by participating qualified second-stage growth
9 businesses as a result of participation in the program, and the type and
10 amount of financial assistance given to participating qualified second-
11 stage growth businesses.